

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Keylan Durham,)	C/A No.: 3:15-cv-342-TLW
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Justin Britt, (RCSD) INV (Officer of)	
Richland Co. Sheriff Dept.); Leon Lott,)	
(RCSD) (Sheriff of Richland Co. Sheriff)	
Dept.),)	
)	
Defendants.)	
_____)	

Plaintiff Keylan Durham, a prisoner proceeding pro se, filed this action asserting Richland County sheriff's deputies violated his constitutional rights by shooting him when drove at them in a vehicle while attempting to evade arrest.¹ ECF No. 1 at 5. This matter is before the Court for review of the Report and Recommendation (R&R) filed by United States Magistrate Judge Gossett to whom this case was previously assigned. ECF No. 93. In the R&R, the Magistrate Judge recommends dismissing the complaint with prejudice for lack of prosecution pursuant to Davis v. Williams, 588 F.2d 69 (4th Cir. 1978), and Federal Rule of Civil Procedure 41(b). No objections were filed and the time to do so has expired.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's R&R to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that R&R. 28 U.S.C. § 636. In the absence

¹ On April 14, 2016, a jury convicted Plaintiff of Attempted Murder and Assault and Battery in the First Degree as a result of his actions toward these officers and he is currently serving 24 years on these convictions. Additionally, he was found guilty of several other offenses in connection with the crime spree that preceded his arrest, including Kidnapping, Attempted Armed Robbery, Carjacking, Assault and Battery (First Degree) and Possession of a Weapon During a Violent Crime. ECF No. 67-1 at 3.

of objections to the R&R, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

This Court carefully reviewed the record in this case and the Magistrate Judge's R&R, and notes that Plaintiff filed no objections. After appropriate consideration, the Magistrate Judge's R&R is hereby ACCEPTED. For the reasons articulated by the Magistrate Judge, the case is DISMISSED.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

February 22, 2017
Columbia, South Carolina